

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	CRIMINAL ACTION NO.
VS.)	
)	3:92-CR-238(02)-G
WAYLAND THOMAS WILSON,)	
)	ECF
Defendant.)	

ORDER

The United States Court of Appeals for the Fifth Circuit remanded this case for a determination of whether defendant's untimely filing of the notice of appeal was due to excusable neglect or good cause. The court referred the question to the magistrate judge, who filed his findings and recommendation on January 5, 2011. After making an independent review of the pleadings, files, and records in this case, and the findings and recommendation of the magistrate judge, the court concludes that the findings and conclusions are correct and are therefore adopted, and that defendant's untimely notice of appeal is due to excusable neglect.

The court directs the Clerk of Court to advise the Clerk of the United States Court of Appeals for the Fifth Circuit of the entry of this order.

SO ORDERED.

January 31, 2011.



A. JOE FISH
Senior United States District Judge